

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

SYLVESTER STONE, JR.,)	
)	
Petitioner,)	
)	NO. 3:07-CV-122
vs.)	
)	
SUPERINTENDENT INDIANA STATE)	
PRISON,)	
)	
Respondent.)	

OPINION AND ORDER

This matter is before the Court *sua sponte*. Sylvester Stone, Jr., a *pro se* prisoner, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Stone is attempting to challenge his conviction in the Marion County Superior Court in case number 49G01-0106-CF-126939. Stone is currently challenging this same conviction in cause number 3:07-CV-91. In that case, the court ordered Stone to file an amended petition. It appears that the petition in this case is the amended petition that Stone was ordered to file in 3:07-CV-91. Therefore, because Stone is challenging this conviction in 3:07-CV-91 and because this petition should have been filed in that case, this case is now **DISMISSED**. The Clerk is **DIRECTED** to file the petition in this case (DE # 1) in cause number 3:07-CV-91.

DATED: April 11, 2007

**/s/RUDY LOZANO, Judge
United States District Court**